

REMARKS

Upon entry of this Amendment, claims 1-15 are all the claims pending in the application. Claim 15 has been added hereby. Claims 1, 2 and 4-14 have been amended without adding new matter. Specifically, support for the newly added subject matter is found in at least Figs. 6 and 7 and their attendant description within the specification.

Applicant thanks the examiner for allowing claims 7 and 8. However, claims 1-6 and 9-14 presently stand rejected. Specifically, claims 1, 4, 5 and 12 are rejected under 35 U.S.C. § 102(b) as being anticipated by Roth et al. (USP 3,977,907); claims 1-3, 6, 9, 10 and 12 are rejected under 35 U.S.C. § 102(e) as being anticipated by Iwaizono et al. (USP 6,322,921); and claims 1-3, 11, 13 and 14 are rejected under 35 U.S.C. § 102(b) as being anticipated by JP 3-37753U. For the reasons set forth below, Applicant respectfully traverses the rejections and requests favorable disposition of the claims.

Argument

The examiner asserts that independent claim 1 is anticipated by Roth et al., Iwaizono et al. and Japanese Utility Model No. 3-37753U. Applicant respectfully disagrees at least because none of the three cited references teach or otherwise suggest all of the features recited in claim 1. Specifically, amended claim 1 recites, *inter alia*; a battery comprising a battery body and a single ***input-output terminal disposed directly on said battery body***, and wherein the ***input-output terminal is provided convexly from the battery body***, and a ***tip surface of the input-output terminal has a concavity***. None of the cited references, either alone or in combination, teaches or suggests this combination of features.

In particular, the output terminal (30, 32) in Roth et al. is not a single input-output terminal, and the tip surface disclosed in Roth et al. is not concave. Accordingly, Roth et al. does not anticipate claim 1.

Moreover, the Examiner cites Iwaizono et al. and, at page 6, lines 5 to 6 in the Office Action, the Examiner maintains the position that the terminal is “formed concavely in a tip of said input-output terminal”. The basis for this assertion is described in at page 6, line 7 of the Office Action where it is stated that “the bottom part of element 85 may be said to be formed ‘concavely’ since it tapers inward in a downward direction”. However, the characteristic that “a *tip* surface of said input-output terminal has a concavity” is recited in amended claim 1. Iwaizono does not disclose this feature. Accordingly, claim 1 is novel in view of Iwaizono.

Lastly, in the Office Action, the Examiner rejects novelty of the claims of the present invention in view of JP 3-37753U. However, “a single input-output terminal” is “disposed directly on said battery body”, according to the amendments above. Therefore, amended claim 1 is clearly different from JP 3-37753U wherein a DC plug is connected to a battery box via cord. Accordingly, claim 1 is novel in view of JP 3-37753U.

For at least the above reasons, the §102 rejections of claim 1, and all claims dependent thereon, specifically claims 3, 4/1, 5, 6/1, 9/1, 10/1, 11/1 and 12/1 should be withdrawn.

In regard to the §102 rejections of independent claim 2, it is noted that claim 2, similar to claim 1 discussed above, recites a battery comprising a battery body and a single input-output terminal *disposed directly on said battery body*. Additionally, claim 2 requires that the input-output terminal is provided concavely from the battery body, and *an inner face of said input-*

output terminal is threaded. None of the three references, Roth, Iwaizono and JP 3-37753U, disclose a “threaded” output terminal as set forth in claim 2. Therefore, for this additional reason, Applicant submits that the claim 2 is novel in view of the three cited references. Accordingly, the §102 rejections of independent claims 2 and dependent claims 4/1, 9/1, 10/1, 11/1 and 12/1 should be withdrawn.

In regard to independent claims 13 and 14, these claims each recite “a single input-output terminal disposed directly on said battery body”. Therefore, claims 13 and 14 are clearly different from JP 3-37753U, which discloses a DC plug that is connected to a battery box via cord. For at least this reason claims 13 and 14 recite patentable subject matter and the §12 rejection of these claims should be withdrawn.

Patentability of New Claims

For additional claim coverage merited by the scope of the invention, Applicant has added new claim 15. Applicant submits that the prior art does not disclose, teach, or otherwise suggest the combination of features contained therein. In particular, claim 15, which depends from claim 1, is patentable for at least the same reasons as set forth above with respect to claim 1. Support for the subject matter recited in new claim 15 is found in at least Figs. 7-9.

Conclusion

In view of the foregoing remarks, the application is believed to be in form for immediate allowance with claims 1-15, and such action is hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, he is kindly requested to **contact the undersigned** at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/739,326

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



Kevin M. Barner
Registration No. 46,075

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

Date: November 12, 2003

Attorney Docket No.: Q62363